

26 | the transfer of ownership of a motor vehicle or mobile
27 | home if the previous owner died testate; amending s.
28 | 319.29, F.S.; prohibiting the department or a tax
29 | collector from charging a fee for reissuance of
30 | certain certificates of title; amending s. 319.30,
31 | F.S.; revising the definitions of the terms
32 | "independent entity" and "major component parts";
33 | clarifying and revising provisions relating to
34 | obtaining a salvage certificate or certificate of
35 | destruction; declaring that the department is not
36 | liable to certain persons as a result of an issuance
37 | of a salvage title or certificate of destruction;
38 | authorizing the release of a damaged or dismantled
39 | vessel; amending s. 320.06, F.S.; authorizing certain
40 | rental trucks to elect a permanent registration
41 | period; allowing the department to deem necessary a
42 | license plate with reduced dimensions for trailers;
43 | amending s. 320.084, F.S.; authorizing certain
44 | disabled veterans to be issued a military license
45 | plate or specialty license plate in lieu of a "DV"
46 | license plate; specifying applicable fees; specifying
47 | that disabled veterans who choose such military
48 | license plates or specialty plates in lieu of a "DV"
49 | license plate will not receive specified protections
50 | or protections or a license plate with the

51 international symbol of accessibility; amending s.
52 322.01, F.S.; revising definitions; defining the term
53 "downgrade"; amending s. 322.02, F.S.; revising
54 legislative intent regarding the department's charge;
55 amending s. 322.05, F.S.; prohibiting the department
56 from issuing a commercial vehicle operator license to
57 certain persons; amending s. 322.07, F.S.; revising
58 requirements for issuance of temporary commercial
59 instruction permits; amending s. 322.141, F.S.;
60 requiring certain information on the driver license or
61 identification card of a sexual offender or sexual
62 predator to be printed in red; amending s. 322.142,
63 F.S.; authorizing the department to issue its record
64 of digital images and signatures to certain criminal
65 justice agencies and driver licensing agencies of any
66 other state under certain circumstances; amending s.
67 322.21, F.S.; authorizing reinstatement of a
68 commercial driver license after a downgrade of the
69 person's privilege to operate a commercial motor
70 vehicle, under certain circumstances; conforming
71 provisions to changes made by the act; creating s.
72 322.591, F.S.; requiring the department to obtain a
73 driver's record from the Commercial Driver's License
74 Drug and Alcohol Clearinghouse under certain
75 circumstances; prohibiting the department from

76 | issuing, renewing, transferring, or revising the type
77 | of authorized vehicles or the endorsements of certain
78 | commercial driver licenses or commercial instruction
79 | permits if the department receives a certain
80 | notification; requiring the department to downgrade a
81 | commercial driver license or commercial instruction
82 | permit if the department receives a certain
83 | notification; providing a timeframe for such downgrade
84 | to be completed and recorded; requiring the department
85 | to notify certain drivers of their prohibition from
86 | operating a commercial motor vehicle and, upon
87 | request, afford them an opportunity for an informal
88 | hearing; specifying requirements for the notice and
89 | the hearing; specifying that a request for a hearing
90 | tolls certain deadlines; specifying that certain
91 | notifications received by the department are in the
92 | record and self-authenticating; specifying that the
93 | basis for the notification and the information in the
94 | Commercial Driver's License Drug and Alcohol
95 | Clearinghouse is not subject to challenge in certain
96 | hearings or proceedings; requiring the department to
97 | dismiss the downgrade of a commercial driver license
98 | or instruction permit under certain circumstances;
99 | requiring the department to record in the driver's
100 | record that he or she is disqualified from operating a

101 commercial motor vehicle under certain circumstances;
 102 specifying certain actions that are not stayed during
 103 the pendency of certain proceedings; requiring the
 104 department to reinstate a commercial driver license or
 105 commercial instruction permit under certain
 106 circumstances; providing that the department is not
 107 liable for certain commercial driver license or
 108 commercial instruction permit downgrades; designating
 109 the exclusive procedures for downgrade of commercial
 110 driver licenses or commercial instruction permits;
 111 providing construction and applicability; authorizing
 112 the department to issue at no cost a specified driver
 113 license to certain persons prohibited from operating a
 114 commercial motor vehicle; amending ss. 322.34 and
 115 322.61, F.S.; conforming cross-references; amending
 116 ss. 324.0221 and 324.131, F.S.; removing the
 117 requirement to obtain noncancelable coverage for
 118 driver license or registration reinstatement; amending
 119 627.7275, F.S.; removing noncancelable motor vehicle
 120 insurance; providing effective dates.

121
 122 Be It Enacted by the Legislature of the State of Florida:

123
 124 Section 1. Paragraph (a) of subsection (1) of section
 125 207.004, Florida Statutes, is amended to read:

126 207.004 Registration of motor carriers; identifying
 127 devices; fees; renewals; temporary fuel-use permits and
 128 driveaway permits.—

129 (1)(a) A ~~No~~ motor carrier may not ~~shall~~ operate or cause
 130 to be operated in this state any commercial motor vehicle, other
 131 than a Florida-based commercial motor vehicle that travels
 132 Florida intrastate mileage only, that uses diesel fuel or motor
 133 fuel until such carrier has registered with the department or
 134 has registered under a cooperative reciprocal agreement as
 135 described in s. 207.0281, after such time as this state enters
 136 into such agreement, and has been issued an identifying device
 137 or such carrier has been issued a permit as authorized under
 138 subsections (4) and (5) for each vehicle operated. The fee for
 139 each such identifying device issued is ~~There shall be a fee of~~
 140 ~~\$4 per year or any fraction thereof for each such identifying~~
 141 ~~device issued.~~ The identifying device must ~~shall~~ be provided by
 142 the department and must be conspicuously displayed on the
 143 commercial motor vehicle as prescribed by the department while
 144 it is being operated on the public highways of this state. The
 145 transfer of an identifying device from one vehicle to another
 146 vehicle or from one motor carrier to another motor carrier is
 147 prohibited. The department or its authorized agent shall issue
 148 licenses and fuel tax decals.

149 Section 2. The Legislature finds that a proper and
 150 legitimate purpose is served when crash reports required under

151 s. 316.066, Florida Statutes, are filed electronically with the
 152 Department of Highway Safety and Motor Vehicles by all entities
 153 required to submit crash reports. Electronic filing will
 154 expedite the availability of crash reports to the persons
 155 authorized to receive them, simplify the process of making crash
 156 reports available, and expedite the availability of information
 157 derived from crash reports to improve highway safety. The
 158 requirement of this act that all law enforcement agencies that
 159 prepare crash reports submit the completed crash reports
 160 electronically to the Department of Highway Safety and Motor
 161 Vehicles applies to all similarly situated persons, including
 162 school district law enforcement agencies, state university law
 163 enforcement agencies, and state law enforcement agencies.
 164 Therefore, the Legislature determines and declares that the
 165 amendments made by this act to s. 316.066, Florida Statutes,
 166 fulfill an important state interest.

167 Section 3. Effective July 1, 2025, paragraph (a) of
 168 subsection (1) of section 316.066, Florida Statutes, is amended
 169 to read:

170 316.066 Written reports of crashes; electronic
 171 submission.-

172 (1)(a) All traffic law enforcement agencies must provide
 173 uniform crash reports by electronic means to the department.
 174 Such crash reports must be consistent with the state traffic
 175 crash manual rules and the procedures established by the

176 department and must be appropriately numbered and inventoried. A
 177 Florida Traffic Crash Report, Long Form must be completed and
 178 electronically submitted to the department within 10 days after
 179 an investigation is completed by the law enforcement officer who
 180 in the regular course of duty investigates a motor vehicle crash
 181 that:

- 182 1. Resulted in death of, personal injury to, or any
- 183 indication of complaints of pain or discomfort by any of the
- 184 parties or passengers involved in the crash;
- 185 2. Involved a violation of s. 316.061(1) or s. 316.193;
- 186 3. Rendered a vehicle inoperable to a degree that required
- 187 a wrecker to remove it from the scene of the crash; or
- 188 4. Involved a commercial motor vehicle.

189 Section 4. Paragraph (b) of subsection (1) of section
 190 316.2935, Florida Statutes, is amended to read:

191 316.2935 Air pollution control equipment; tampering
 192 prohibited; penalty.—

193 (1)

194 (b) At the time of sale, lease, or transfer of title of a
 195 motor vehicle, the seller, lessor, or transferor shall certify
 196 in writing to the purchaser, lessee, or transferee that the air
 197 pollution control equipment of the motor vehicle has not been
 198 tampered with by the seller, lessor, or transferor or their
 199 agents, employees, or other representatives. A licensed motor
 200 vehicle dealer shall also visually observe those air pollution

201 control devices listed by department rule pursuant to subsection
 202 (7), and certify that they are in place, and appear properly
 203 connected and undamaged. Such certification shall not be deemed
 204 or construed as a warranty that the pollution control devices of
 205 the subject vehicle are in functional condition, nor does the
 206 execution or delivery of this certification create by itself
 207 grounds for a cause of action between the parties to this
 208 transaction. This paragraph does not apply when the purchaser of
 209 the motor vehicle is a lessee purchasing the leased motor
 210 vehicle and the licensed motor vehicle dealer is not in
 211 possession of the motor vehicle at the time of sale.

212 Section 5. Paragraphs (a), (b), and (e) of subsection (1),
 213 paragraph (d) of subsection (2), and subsection (9) of section
 214 316.302, Florida Statutes, are amended to read:

215 316.302 Commercial motor vehicles; safety regulations;
 216 transporters and shippers of hazardous materials; enforcement.-

217 (1)(a) All owners and drivers of commercial motor vehicles
 218 that are operated on the public highways of this state while
 219 engaged in interstate commerce are subject to the rules and
 220 regulations contained in 49 C.F.R. parts 382, 383, 384, 385,
 221 386, and 390-397.

222 (b) Except as otherwise provided in this section, all
 223 owners and drivers of commercial motor vehicles that are engaged
 224 in intrastate commerce are subject to the rules and regulations
 225 contained in 49 C.F.R. parts 382, 383, 384, 385, 386, and 390-

226 397, as such rules and regulations existed on December 31, 2022
227 2020.

228 ~~(c) A person who operates a commercial motor vehicle~~
229 ~~solely in intrastate commerce which does not transport hazardous~~
230 ~~materials in amounts that require placarding pursuant to 49~~
231 ~~C.F.R. part 172 need not comply with the requirements of~~
232 ~~electronic logging devices and hours of service supporting~~
233 ~~documents as provided in 49 C.F.R. parts 385, 386, 390, and 395~~
234 ~~until December 31, 2019.~~

235 (2)

236 (d) A person who operates a commercial motor vehicle
237 solely in intrastate commerce not transporting any hazardous
238 material in amounts that require placarding pursuant to 49
239 C.F.R. part 172 within a 150 air-mile radius of the location
240 where the vehicle is based need not comply with 49 C.F.R. ss.
241 395.8 and 395.11 s. 395.8 if the requirements of 49 C.F.R. s.
242 395.1(e)(1)(iii) and (iv) ~~49 C.F.R. s. 395.1(e)(1)(ii),~~
243 ~~(iii)(A) and (C), and (v)~~ are met.

244 (9) For the purpose of enforcing this section, any law
245 enforcement officer of the Department of Highway Safety and
246 Motor Vehicles or duly appointed agent who holds a current
247 safety inspector certification from the Commercial Vehicle
248 Safety Alliance may require the driver of any commercial vehicle
249 operated on the highways of this state to stop and submit to an
250 inspection of the vehicle or the driver's records. If the

251 vehicle or driver is found to be operating in an unsafe
 252 condition, or if any required part or equipment is not present
 253 or is not in proper repair or adjustment, and the continued
 254 operation would present an unduly hazardous operating condition,
 255 the officer or agent may require the vehicle or the driver to be
 256 removed from service pursuant to the North American Standard
 257 Out-of-Service Criteria, until corrected. However, if continuous
 258 operation would not present an unduly hazardous operating
 259 condition, the officer or agent may give written notice
 260 requiring correction of the condition within 15 days.

261 (a) Any member of the Florida Highway Patrol or any law
 262 enforcement officer employed by a sheriff's office or municipal
 263 police department authorized to enforce the traffic laws of this
 264 state pursuant to s. 316.640 who has reason to believe that a
 265 vehicle or driver is operating in an unsafe condition may, as
 266 provided in subsection (11), enforce the provisions of this
 267 section.

268 (b) Any person who fails to comply with a ~~an officer's~~
 269 request to submit to an inspection under this subsection commits
 270 a violation of s. 843.02 if the person resists the officer
 271 without violence or a violation of s. 843.01 if the person
 272 resists the officer with violence.

273 Section 6. Paragraphs (b) and (c) of subsection (1) of
 274 section 319.14, Florida Statutes, are amended to read:

275 319.14 Sale of motor vehicles registered or used as

276 taxicabs, police vehicles, lease vehicles, rebuilt vehicles,
 277 nonconforming vehicles, custom vehicles, or street rod vehicles;
 278 conversion of low-speed vehicles.—

279 (1)

280 (b) A person may not knowingly offer for sale, sell, or
 281 exchange a rebuilt vehicle until the department has stamped in a
 282 conspicuous place on the certificate of title for the vehicle
 283 words stating that the vehicle has been rebuilt or assembled
 284 from parts, or is a kit car, glider kit, replica, flood vehicle,
 285 custom vehicle, or street rod vehicle unless proper application
 286 for a certificate of title for a vehicle that is rebuilt or
 287 assembled from parts, or is a kit car, glider kit, replica,
 288 flood vehicle, custom vehicle, or street rod vehicle has been
 289 made to the department in accordance with this chapter and the
 290 department has conducted the physical examination of the vehicle
 291 to assure the identity of the vehicle and all major component
 292 parts, as defined in s. 319.30(1), which have been repaired or
 293 replaced. If a vehicle is identified as a flood vehicle, the
 294 words stamped on the certificate of title must identify the
 295 water type as "salt water," "fresh water," or "other or unknown
 296 water type," as applicable. Thereafter, the department shall
 297 affix a decal to the vehicle, in the manner prescribed by the
 298 department, showing the vehicle to be rebuilt.

299 (c) As used in this section, the term:

300 ~~9.1.~~ "Police vehicle" means a motor vehicle owned or

301 leased by the state or a county or municipality and used in law
302 enforcement.

303 ~~13.2.a.~~ "Short-term-lease vehicle" means a motor vehicle
304 leased without a driver and under a written agreement to one or
305 more persons from time to time for a period of less than 12
306 months.

307 ~~7.b.~~ "Long-term-lease vehicle" means a motor vehicle
308 leased without a driver and under a written agreement to one
309 person for a period of 12 months or longer.

310 ~~6.e.~~ "Lease vehicle" includes both short-term-lease
311 vehicles and long-term-lease vehicles.

312 ~~10.3.~~ "Rebuilt vehicle" means a motor vehicle or mobile
313 home built from salvage or junk, as defined in s. 319.30(1).

314 ~~1.4.~~ "Assembled from parts" means a motor vehicle or
315 mobile home assembled from parts or combined from parts of motor
316 vehicles or mobile homes, new or used. The term "assembled from
317 parts" does not include ~~mean a motor vehicle defined as a~~
318 "rebuilt vehicle" as defined in subparagraph 10. in subparagraph
319 ~~3.7~~ which has been declared a total loss pursuant to s. 319.30.

320 5. "Kit car" means a motor vehicle assembled with a kit
321 supplied by a manufacturer to rebuild a wrecked or outdated
322 motor vehicle with a new body kit.

323 ~~4.6.~~ "Glider kit" means a vehicle assembled with a kit
324 supplied by a manufacturer to rebuild a wrecked or outdated
325 truck or truck tractor.

326 11.7. "Replica" means a complete new motor vehicle
 327 manufactured to look like an old vehicle.

328 ~~3.8.~~ "Flood vehicle" means a motor vehicle or mobile home
 329 that has been declared to be a total loss pursuant to s.
 330 319.30(3) (a) resulting from damage caused by salt water, fresh
 331 water, or other or unknown type of water.

332 8.9. "Nonconforming vehicle" means a motor vehicle that
 333 ~~which~~ has been purchased by a manufacturer pursuant to a
 334 settlement, determination, or decision under chapter 681.

335 ~~12.10.~~ "Settlement" means an agreement entered into
 336 between a manufacturer and a consumer that occurs after a
 337 dispute is submitted to a program, or to an informal dispute
 338 settlement procedure established by a manufacturer, or is
 339 approved for arbitration before the Florida New Motor Vehicle
 340 Arbitration Board as defined in s. 681.102.

341 2.11. "Custom vehicle" means a motor vehicle that:

342 a. Is 25 years of age or older and of a model year after
 343 1948 or was manufactured to resemble a vehicle that is 25 years
 344 of age or older and of a model year after 1948; and

345 b. Has been altered from the manufacturer's original
 346 design or has a body constructed from nonoriginal materials.

347
 348 The model year and year of manufacture that the body of a custom
 349 vehicle resembles is the model year and year of manufacture
 350 listed on the certificate of title, regardless of when the

351 vehicle was actually manufactured.

352 ~~14.12.~~ "Street rod" means a motor vehicle that:

353 a. Is of a model year of 1948 or older or was manufactured
 354 after 1948 to resemble a vehicle of a model year of 1948 or
 355 older; and

356 b. Has been altered from the manufacturer's original
 357 design or has a body constructed from nonoriginal materials.
 358

359 The model year and year of manufacture that the body of a street
 360 rod resembles is the model year and year of manufacture listed
 361 on the certificate of title, regardless of when the vehicle was
 362 actually manufactured.

363 Section 7. Subsection (3) of section 319.23, Florida
 364 Statutes, is amended to read:

365 319.23 Application for, and issuance of, certificate of
 366 title.—

367 (3) If a certificate of title has not previously been
 368 issued for a motor vehicle or mobile home in this state, the
 369 application, unless otherwise provided for in this chapter,
 370 shall be accompanied by a proper bill of sale or sworn statement
 371 of ownership, or a duly certified copy thereof, or by a
 372 certificate of title, bill of sale, or other evidence of
 373 ownership required by the law of the state or country ~~county~~
 374 from which the motor vehicle or mobile home was brought into
 375 this state. The application shall also be accompanied by:

376 (a)1. A sworn affidavit from the seller and purchaser
 377 verifying that the vehicle identification number shown on the
 378 affidavit is identical to the vehicle identification number
 379 shown on the motor vehicle; or

380 2. An appropriate departmental form evidencing that a
 381 physical examination has been made of the motor vehicle by the
 382 owner and by a duly constituted law enforcement officer in any
 383 state, a licensed motor vehicle dealer, a license inspector as
 384 provided by s. 320.58, or a notary public commissioned by this
 385 state and that the vehicle identification number shown on such
 386 form is identical to the vehicle identification number shown on
 387 the motor vehicle; and

388 (b) If the vehicle is a used car original, a sworn
 389 affidavit from the owner verifying that the odometer reading
 390 shown on the affidavit is identical to the odometer reading
 391 shown on the motor vehicle in accordance with the requirements
 392 of 49 C.F.R. s. 580.5 at the time that application for title is
 393 made. For the purposes of this section, the term "used car
 394 original" means a used vehicle coming into and being titled in
 395 this state for the first time.

396 (c) If the vehicle is an ancient or antique vehicle, as
 397 defined in s. 320.086, the application shall be accompanied by a
 398 certificate of title; a bill of sale and a registration; or a
 399 bill of sale and an affidavit by the owner defending the title
 400 from all claims. The bill of sale must contain a complete

401 vehicle description to include the vehicle identification or
 402 engine number, year make, color, selling price, and signatures
 403 of the seller and purchaser.

404
 405 Verification of the vehicle identification number is not
 406 required for any new motor vehicle; any mobile home; any trailer
 407 or semitrailer with a net weight of less than 2,000 pounds; or
 408 any travel trailer, camping trailer, truck camper, or fifth-
 409 wheel recreation trailer.

410 Section 8. Paragraph (c) of subsection (1) of section
 411 319.28, Florida Statutes, is added, and paragraphs (c) and (d)
 412 are renumbered as (d) and (f), to read:

413 319.28 Transfer of ownership by operation of law.—

414 (1)

415 (c) If the previous owner died testate and the application
 416 for a certificate of title is made by, and accompanied by an
 417 affidavit attested by, a Florida licensed attorney in good
 418 standing with The Florida Bar who is representing the previous
 419 owner's estate, such affidavit shall, for purposes of paragraph
 420 (1) (a), constitute satisfactory proof of ownership and right of
 421 possession to the motor vehicle or mobile home, so long as the
 422 affidavit sets forth the rightful heir or heirs and the attorney
 423 attests in the affidavit that such heir or heirs are lawfully
 424 entitled to the rights of ownership and possession of the motor
 425 vehicle or mobile home. It shall not be necessary for the

426 application for certificate of title filed under this paragraph
 427 to be accompanied by a copy of the will or other testamentary
 428 instrument.

429 Section 9. Subsection (3) of section 319.29, Florida
 430 Statutes, is amended to read:

431 319.29 Lost or destroyed certificates.—

432 (3) If, following the issuance of an original, duplicate,
 433 or corrected certificate of title by the department, the
 434 certificate is lost in transit and is not delivered to the
 435 addressee, the owner of the motor vehicle or mobile home, or the
 436 holder of a lien thereon, may, within 180 days after ~~of~~ the date
 437 of issuance of the title, apply to the department for reissuance
 438 of the certificate of title. An ~~No~~ additional fee shall not be
 439 charged by the department or a tax collector, as agent for the
 440 department, for reissuance under this subsection.

441 Section 10. Paragraphs (g) and (j) of subsection (1),
 442 paragraph (b) of subsection (3), and subsection (9) of section
 443 319.30, Florida Statutes, are amended to read:

444 319.30 Definitions; dismantling, destruction, change of
 445 identity of motor vehicle or mobile home; salvage.—

446 (1) As used in this section, the term:

447 (g) "Independent entity" means a business or entity that
 448 may temporarily store damaged or dismantled motor vehicles or
 449 vessels pursuant to an agreement with an insurance company and
 450 is engaged in the sale or resale of damaged or dismantled motor

451 vehicles or vessels. The term does not include a wrecker
 452 operator, a towing company, or a repair facility. "Vessel" shall
 453 have the same meaning as s. 713.78(1)(b).

454 (j) "Major component parts" means:

455 1. For motor vehicles other than electric or plug-in
 456 hybrid motor vehicles and motorcycles, any fender, hood, bumper,
 457 cowl assembly, rear quarter panel, trunk lid, door, decklid,
 458 floor pan, engine, frame, transmission, catalytic converter, or
 459 airbag.

460 2. For trucks, other than electric or plug-in hybrid motor
 461 vehicles, in addition to those parts listed in subparagraph 1.,
 462 any truck bed, including dump, wrecker, crane, mixer, cargo box,
 463 or any bed which mounts to a truck frame.

464 3. For motorcycles, the body assembly, frame, fenders, gas
 465 tanks, engine, cylinder block, heads, engine case, crank case,
 466 transmission, drive train, front fork assembly, and wheels.

467 4. For mobile homes, the frame.

468 5. For electric or plug-in hybrid motor vehicles, any
 469 fender, hood, bumper, cowl assembly, rear quarter panel, trunk
 470 lid, door, decklid, floor pan, engine, electric traction motor,
 471 frame, transmission or electronic transmission, charge port, DC
 472 power converter, onboard charger, power electronics controller,
 473 thermal system, traction battery pack, catalytic converter, or
 474 airbag.

475 (3)

476 (b) The owner, including persons who are self-insured, of
 477 a motor vehicle or mobile home that is considered to be salvage
 478 shall, within 72 hours after the motor vehicle or mobile home
 479 becomes salvage, forward the title to the motor vehicle or
 480 mobile home to the department for processing. However, an
 481 insurance company that pays money as compensation for the total
 482 loss of a motor vehicle or mobile home shall obtain the
 483 certificate of title for the motor vehicle or mobile home, make
 484 the required notification to the National Motor Vehicle Title
 485 Information System, and, within 72 hours after receiving such
 486 certificate of title, forward such title by the United States
 487 Postal Service, by another commercial delivery service, or by
 488 electronic means, when such means are made available by the
 489 department, to the department for processing. The owner or
 490 insurance company, as applicable, may not dispose of a vehicle
 491 or mobile home that is a total loss before it obtains a salvage
 492 certificate of title or certificate of destruction from the
 493 department. ~~Effective January 1, 2020:~~

494 1. Thirty days after payment of a claim for compensation
 495 pursuant to this paragraph, the insurance company may receive a
 496 salvage certificate of title or certificate of destruction from
 497 the department if the insurance company is unable to obtain a
 498 properly assigned paper or electronic certificate of title from
 499 the owner or lienholder of the motor vehicle or mobile home, ~~if~~
 500 ~~the motor vehicle or mobile home does not carry an electronic~~

501 ~~lien on the title~~ and the insurance company:

502 a. Has obtained the release of all liens on the motor
503 vehicle or mobile home or has fully paid the amounts due to the
504 owner and the lienholder;

505 b. Has attested on a form provided by the department that
506 payment of the total loss claim has been distributed or, if a
507 release of all liens has not been obtained, that amounts due to
508 the owner and the lienholder have been paid in full; and

509 c. Has attested on a form provided by the department and
510 signed by the insurance company or its authorized agent stating
511 the attempts that have been made to obtain the title from the
512 owner or the lienholder and further stating that all attempts
513 are to no avail. The form must include a request that the
514 salvage certificate of title or certificate of destruction be
515 issued in the insurance company's name due to payment of a total
516 loss claim to the owner or lienholder. The attempts to contact
517 the owner or the lienholder may be by written request delivered
518 in person or by first-class mail with a certificate of mailing
519 to the owner's or lienholder's last known address.

520 2. If the owner or the lienholder is notified of the
521 request for title in person, the insurance company must provide
522 an affidavit attesting to the in-person request for a
523 certificate of title.

524 3. The request to the owner or the lienholder for the
525 certificate of title must include a complete description of the

526 motor vehicle or mobile home and the statement that a total loss
 527 claim has been paid on the motor vehicle or mobile home.

528
 529 The department is not liable to, and may not be held liable by,
 530 an owner, a lienholder, or any other person as a result of the
 531 issuance of a salvage title or a certificate of destruction
 532 pursuant to this paragraph.

533 (9) (a) An insurance company may notify an independent
 534 entity that obtains possession of a damaged or dismantled motor
 535 vehicle or vessel to release the vehicle or vessel to the owner.
 536 The insurance company shall provide the independent entity a
 537 release statement on a form prescribed by the department
 538 authorizing the independent entity to release the vehicle or
 539 vessel to the owner or lienholder. The form must, at a minimum,
 540 contain the following:

- 541 1. The policy and claim number.
- 542 2. The name and address of the insured.
- 543 3. The vehicle identification number or hull identification
 544 number for the vessel.
- 545 4. The signature of an authorized representative of the
 546 insurance company.

547 (b) The independent entity in possession of a motor vehicle
 548 or vessel must send a notice to the owner that the vehicle or
 549 vessel is available for pickup when it receives a release
 550 statement from the insurance company. The notice shall be sent

551 by certified mail or by another commercially available delivery
 552 service that provides proof of delivery to the owner at the
 553 owner's address contained in the department's records. The
 554 notice must state that the owner has 30 days after delivery of
 555 the notice to the owner at the owner's address to pick up the
 556 vehicle or vessel from the independent entity. If the motor
 557 vehicle or vessel is not claimed within 30 days after the
 558 delivery or attempted delivery of the notice, the independent
 559 entity may apply for a certificate of destruction, a salvage
 560 certificate of title or a certificate of title. For a hull
 561 damaged vessel, the independent entity shall comply with s.
 562 328.045 as applicable.

563 (c) If the department's records do not contain the owner's
 564 address, the independent entity must do all of the following:

565 1. Send a notice that meets the requirements of paragraph
 566 (b) to the owner's address that is provided by the insurance
 567 company in the release statement.

568 2. For a vehicle, identify~~Identify~~ the latest titling
 569 jurisdiction of the vehicle through use of the National Motor
 570 Vehicle Title Information System or an equivalent commercially
 571 available system and attempt to obtain the owner's address from
 572 that jurisdiction. If the jurisdiction returns an address that
 573 is different from the owner's address provided by the insurance
 574 company, the independent entity must send a notice that meets
 575 the requirements of paragraph (b) to both addresses.

576 (d) The independent entity shall maintain for a minimum of
 577 3 years the records related to the 30-day notice sent to the
 578 owner~~7~~. For vehicles, the independent entity shall also maintain
 579 a minimum of 3 years the results of searches of the National
 580 Motor Vehicle Title Information System or an equivalent
 581 commercially available system, and the notification to the
 582 National Motor Vehicle Title Information System made pursuant to
 583 paragraph (e).

584 (e) The independent entity shall make the required
 585 notification to the National Motor Vehicle Title Information
 586 System before releasing any damaged or dismantled motor vehicle
 587 to the owner or before applying for a certificate of destruction
 588 or salvage certificate of title. The independent entity shall
 589 not be required to notify the National Motor Vehicle Title
 590 Information System before releasing any damaged or dismantled
 591 vessel to the owner or before applying for a certificate of
 592 title.

593 (f) Upon applying for a certificate of destruction, ~~or~~
 594 salvage certificate of title, or certificate of title, the
 595 independent entity shall provide a copy of the release statement
 596 from the insurance company to the independent entity, proof of
 597 providing the 30-day notice to the owner, proof of notification
 598 to the National Motor Vehicle Title Information System if
 599 required, proof of all lien satisfactions or proof of a release
 600 of all liens on the motor vehicle or vessel, and applicable

601 fees. If the independent entity is unable to obtain a lien
602 satisfaction or a release of all liens on the motor vehicle or
603 vessel, the independent entity must provide an affidavit stating
604 that notice was sent to all lienholders that the motor vehicle
605 or vessel is available for pickup, 30 days have passed since the
606 notice was delivered or attempted to be delivered pursuant to
607 this section, attempts have been made to obtain a release from
608 all lienholders, and all such attempts have been to no avail.
609 The notice to lienholders and attempts to obtain a release from
610 lienholders may be by written request delivered in person or by
611 certified mail or another commercially available delivery
612 service that provides proof of delivery to the lienholder at the
613 lienholder's address as provided on the certificate of title and
614 to the address designated with the Department of State pursuant
615 to s. 655.0201(2) if such address is different.

616 (g) The independent entity may not charge an owner of the
617 vehicle or vessel storage fees or apply for a title under s.
618 713.585 or s. 713.78.

619 Section 11. Paragraph (b) of subsection (1) and paragraph
620 (a) of subsection (3) of section 320.06, Florida Statutes, is
621 amended to read:

622 320.06 Registration certificates, license plates, and
623 validation stickers generally.—

624 (1)

625 (b)1. Registration license plates bearing a graphic symbol

626 and the alphanumeric system of identification shall be issued
627 for a 10-year period. At the end of the 10-year period, upon
628 renewal, the plate shall be replaced. The department shall
629 extend the scheduled license plate replacement date from a 6-
630 year period to a 10-year period. The fee for such replacement is
631 \$28, \$2.80 of which shall be paid each year before the plate is
632 replaced, to be credited toward the next \$28 replacement fee.
633 The fees shall be deposited into the Highway Safety Operating
634 Trust Fund. A credit or refund may not be given for any prior
635 years' payments of the prorated replacement fee if the plate is
636 replaced or surrendered before the end of the 10-year period,
637 except that a credit may be given if a registrant is required by
638 the department to replace a license plate under s.
639 320.08056(8)(a). With each license plate, a validation sticker
640 shall be issued showing the owner's birth month, license plate
641 number, and the year of expiration or the appropriate renewal
642 period if the owner is not a natural person. The validation
643 sticker shall be placed on the upper right corner of the license
644 plate. The license plate and validation sticker shall be issued
645 based on the applicant's appropriate renewal period. The
646 registration period is 12 months, the extended registration
647 period is 24 months, and all expirations occur based on the
648 applicant's appropriate registration period. Rental vehicles
649 taxed pursuant to s. 320.08(6)(a) and rental trucks taxed
650 pursuant to ss. 320.08(3)(a), (b), and (c) and (4)(a)-(d) may

651 elect a permanent registration period, provided payment of the
652 appropriate license taxes and fees occurs annually.

653 2. A vehicle that has an apportioned registration shall be
654 issued an annual license plate and a cab card that denote the
655 declared gross vehicle weight for each apportioned jurisdiction
656 in which the vehicle is authorized to operate. This subparagraph
657 expires June 30, 2024.

658 3. Beginning July 1, 2024, a vehicle registered in
659 accordance with the International Registration Plan must be
660 issued a license plate for a 3-year period. At the end of the 3-
661 year period, upon renewal, the license plate must be replaced.
662 Each license plate must include a validation sticker showing the
663 month of expiration. A cab card denoting the declared gross
664 vehicle weight for each apportioned jurisdiction must be issued
665 annually. The fee for an original or a renewal cab card is \$28,
666 which must be deposited into the Highway Safety Operating Trust
667 Fund. If the license plate is damaged or worn, it may be
668 replaced at no charge by applying to the department and
669 surrendering the current license plate.

670 4. In order to retain the efficient administration of the
671 taxes and fees imposed by this chapter, the 80-cent fee increase
672 in the replacement fee imposed by chapter 2009-71, Laws of
673 Florida, is negated as provided in s. 320.0804.

674 (3)(a) Registration license plates must be made of metal
675 specially treated with a retroreflection material, as specified

676 | by the department. The registration license plate is designed to
 677 | increase nighttime visibility and legibility and must be at
 678 | least 6 inches wide and not less than 12 inches in length,
 679 | unless a plate with reduced dimensions is deemed necessary by
 680 | the department to accommodate motorcycles, mopeds, ~~or~~ similar
 681 | smaller vehicles, or trailers. Validation stickers must also be
 682 | treated with a retroreflection material, must be of such size as
 683 | specified by the department, and must adhere to the license
 684 | plate. The registration license plate must be imprinted with a
 685 | combination of bold letters and numerals or numerals, not to
 686 | exceed seven digits, to identify the registration license plate
 687 | number. The license plate must be imprinted with the word
 688 | "Florida" at the top and the name of the county in which it is
 689 | sold, the state motto, or the words "Sunshine State" at the
 690 | bottom. Apportioned license plates must have the word
 691 | "Apportioned" at the bottom, and license plates issued for
 692 | vehicles taxed under s. 320.08(3)(d), (4)(m) or (n), (5)(b) or
 693 | (c), or (14) must have the word "Restricted" at the bottom.
 694 | License plates issued for vehicles taxed under s. 320.08(12)
 695 | must be imprinted with the word "Florida" at the top and the
 696 | word "Dealer" at the bottom unless the license plate is a
 697 | specialty license plate as authorized in s. 320.08056.
 698 | Manufacturer license plates issued for vehicles taxed under s.
 699 | 320.08(12) must be imprinted with the word "Florida" at the top
 700 | and the word "Manufacturer" at the bottom. License plates issued

701 for vehicles taxed under s. 320.08(5) (d) or (e) must be
 702 imprinted with the word "Wrecker" at the bottom. Any county may,
 703 upon majority vote of the county commission, elect to have the
 704 county name removed from the license plates sold in that county.
 705 The state motto or the words "Sunshine State" shall be printed
 706 in lieu thereof. A license plate issued for a vehicle taxed
 707 under s. 320.08(6) may not be assigned a registration license
 708 number, or be issued with any other distinctive character or
 709 designation, that distinguishes the motor vehicle as a for-hire
 710 motor vehicle.

711 Section 12. Subsection (1) of section 320.084, Florida
 712 Statutes, is amended, and subsection (6) is added to that
 713 section, to read:

714 320.084 Free motor vehicle license plate to certain
 715 disabled veterans.—

716 (1) One free "DV" motor vehicle license number plate shall
 717 be issued by the department for use on any motor vehicle owned
 718 or leased by any disabled veteran who has been a resident of
 719 this state continuously for the preceding 5 years or has
 720 established a domicile in this state as provided by s.
 721 222.17(1), (2), or (3), and who has been honorably discharged
 722 from the United States Armed Forces, upon application,
 723 accompanied by proof that:

724 (a) A vehicle was initially acquired through financial
 725 assistance by the United States Department of Veterans Affairs

726 or its predecessor specifically for the purchase of an
 727 automobile;

728 (b) The applicant has been determined by the United States
 729 Department of Veterans Affairs or its predecessor to have a
 730 service-connected 100-percent disability rating for
 731 compensation; or

732 (c) The applicant has been determined to have a service-
 733 connected disability rating of 100 percent and is in receipt of
 734 disability retirement pay from any branch of the United States
 735 Armed Services.

736 (6) (a) A disabled veteran who meets the requirements of
 737 subsection (1) may be issued, in lieu of the "DV" license plate,
 738 a military license plate for which he or she is eligible or a
 739 specialty license plate. A disabled veteran electing a military
 740 license plate or specialty license plate under this subsection
 741 must pay all applicable fees related to such license plate,
 742 except for fees otherwise waived under subsections (1) and (4).

743 b) A military license plate or specialty license plate
 744 elected under this subsection:

745 1. Does not provide the protections or rights afforded by
 746 ss. 316.1955, 316.1964, 320.0848, 526.141, and 553.5041.

747 2. Is not eligible for the international symbol of
 748 accessibility as described in s. 320.0842.

749 Section 13. Present subsections (16) through (48) of
 750 section 322.01, Florida Statutes, are redesignated as

751 subsections (17) through (49), respectively, a new subsection
 752 (16) is added to that section, and subsection (5) and present
 753 subsections (37) and (41) of that section are amended, to read:

754 322.01 Definitions.—As used in this chapter:

755 (5) "Cancellation" means the act of declaring a driver
 756 license void and terminated, but does not include a downgrade.

757 (16) "Downgrade" has the same meaning as the term "CDL
 758 downgrade," as defined in 49 C.F.R. s. 383.5(4).

759 (38)-(37) "Revocation" means the termination of a
 760 licensee's privilege to drive, but does not include a downgrade.

761 (42)-(41) "Suspension" means the temporary withdrawal of a
 762 licensee's privilege to drive a motor vehicle, but does not
 763 include a downgrade.

764 Section 14. Subsection (2) of section 322.02, Florida
 765 Statutes, is amended to read:

766 322.02 Legislative intent; administration.—

767 (2) The Department of Highway Safety and Motor Vehicles is
 768 charged with the administration and function of enforcement of
 769 the provisions of this chapter and the enforcement and
 770 administration of 49 C.F.R. parts 382-386 and 390-397.

771 Section 15. Present subsections (4) through (12) of
 772 section 322.05, Florida Statutes, are redesignated as
 773 subsections (5) through (13), respectively, and a new subsection
 774 (4) is added to that section, to read:

775 322.05 Persons not to be licensed.—The department may not

776 | issue a license:

777 | (4) To any person, as a commercial vehicle operator, who
 778 | is ineligible to operate a commercial vehicle pursuant to 49
 779 | C.F.R. part 383.

780 | Section 16. Subsection (3) of section 322.07, Florida
 781 | Statutes, is amended to read:

782 | 322.07 Instruction permits and temporary licenses.—

783 | (3) Any person who, except for his or her lack of
 784 | instruction in operating a commercial motor vehicle, would
 785 | otherwise be qualified to obtain a commercial driver license
 786 | under this chapter, may apply for a temporary commercial
 787 | instruction permit. The department shall issue such a permit
 788 | entitling the applicant, while having the permit in his or her
 789 | immediate possession, to drive a commercial motor vehicle on the
 790 | highways, if:

791 | (a) The applicant possesses a valid Florida driver
 792 | license; ~~and~~

793 | (b) The applicant, while operating a commercial motor
 794 | vehicle, is accompanied by a licensed driver who is 21 years of
 795 | age or older, who is licensed to operate the class of vehicle
 796 | being operated, and who is occupying the closest seat to the
 797 | right of the driver; ~~and~~—

798 | (c) The department has not been notified pursuant to 49
 799 | C.F.R. s. 382.501(a) that the applicant is prohibited from
 800 | operating a commercial motor vehicle.

801 Section 17. Effective January 1, 2024, subsection (3) of
802 section 322.141, Florida Statutes, is amended to read:

803 322.141 Color or markings of certain licenses or
804 identification cards.—

805 (3) All licenses for the operation of motor vehicles or
806 identification cards originally issued or reissued by the
807 department to persons who are designated as sexual predators
808 under s. 775.21 or subject to registration as sexual offenders
809 under s. 943.0435 or s. 944.607, or who have a similar
810 designation or are subject to a similar registration under the
811 laws of another jurisdiction, shall have printed in the color
812 red all information otherwise required to be printed on the
813 front of the license or identification card, as well as the
814 following:

815 (a) For a person designated as a sexual predator under s.
816 775.21 or who has a similar designation under the laws of
817 another jurisdiction, the marking "SEXUAL PREDATOR."

818 (b) For a person subject to registration as a sexual
819 offender under s. 943.0435 or s. 944.607, or subject to a
820 similar registration under the laws of another jurisdiction, the
821 marking "943.0435, F.S."

822 Section 18. Subsection (4) of section 322.142, Florida
823 Statutes, is amended to read:

824 322.142 Color photographic or digital imaged licenses.—

825 (4) The department may maintain a film negative or print

826 file. The department shall maintain a record of the digital
827 image and signature of the licensees, together with other data
828 required by the department for identification and retrieval.
829 Reproductions from the file or digital record are exempt from
830 the provisions of s. 119.07(1) and may be made and issued only
831 in any of the following manners:

832 (a) For departmental administrative purposes .†

833 (b) For the issuance of duplicate licenses .†

834 (c) In response to law enforcement agency requests .†

835 (d) To the Department of Business and Professional
836 Regulation and the Department of Health pursuant to an
837 interagency agreement for the purpose of accessing digital
838 images for reproduction of licenses issued by the Department of
839 Business and Professional Regulation or the Department of
840 Health .†

841 (e) To the Department of State pursuant to an interagency
842 agreement to facilitate determinations of eligibility of voter
843 registration applicants and registered voters in accordance with
844 ss. 98.045 and 98.075 .†

845 (f) To the Department of Revenue pursuant to an
846 interagency agreement for use in establishing paternity and
847 establishing, modifying, or enforcing support obligations in
848 Title IV-D cases .†

849 (g) To the Department of Children and Families pursuant to
850 an interagency agreement to conduct protective investigations

851 | under part III of chapter 39 and chapter 415.†

852 | (h) To the Department of Children and Families pursuant to
 853 | an interagency agreement specifying the number of employees in
 854 | each of that department's regions to be granted access to the
 855 | records for use as verification of identity to expedite the
 856 | determination of eligibility for public assistance and for use
 857 | in public assistance fraud investigations.†

858 | (i) To the Agency for Health Care Administration pursuant
 859 | to an interagency agreement for the purpose of authorized
 860 | agencies verifying photographs in the Care Provider Background
 861 | Screening Clearinghouse authorized under s. 435.12.†

862 | (j) To the Department of Financial Services pursuant to an
 863 | interagency agreement to facilitate the location of owners of
 864 | unclaimed property, the validation of unclaimed property claims,
 865 | the identification of fraudulent or false claims, and the
 866 | investigation of allegations of violations of the insurance code
 867 | by licensees and unlicensed persons.†

868 | (k) To the Department of Economic Opportunity pursuant to
 869 | an interagency agreement to facilitate the validation of
 870 | reemployment assistance claims and the identification of
 871 | fraudulent or false reemployment assistance claims.†

872 | (l) To district medical examiners pursuant to an
 873 | interagency agreement for the purpose of identifying a deceased
 874 | individual, determining cause of death, and notifying next of
 875 | kin of any investigations, including autopsies and other

876 laboratory examinations, authorized in s. 406.11~~.~~.

877 (m) To the following persons for the purpose of
878 identifying a person as part of the official work of a court:

879 1. A justice or judge of this state;

880 2. An employee of the state courts system who works in a
881 position that is designated in writing for access by the Chief
882 Justice of the Supreme Court or a chief judge of a district or
883 circuit court, or by his or her designee; or

884 3. A government employee who performs functions on behalf
885 of the state courts system in a position that is designated in
886 writing for access by the Chief Justice or a chief judge, or by
887 his or her designee.~~.~~~~or~~

888 (n) To the Agency for Health Care Administration pursuant
889 to an interagency agreement to prevent health care fraud. If the
890 Agency for Health Care Administration enters into an agreement
891 with a private entity to carry out duties relating to health
892 care fraud prevention, such contracts shall include, but need
893 not be limited to:

894 1. Provisions requiring internal controls and audit
895 processes to identify access, use, and unauthorized access of
896 information.

897 2. A requirement to report unauthorized access or use to
898 the Agency for Health Care Administration within 1 business day
899 after the discovery of the unauthorized access or use.

900 3. Provisions for liquidated damages for unauthorized

901 access or use of no less than \$5,000 per occurrence.

902 (o) To any criminal justice agency, as defined in s.
 903 943.045(11), pursuant to an interagency agreement for use in
 904 carrying out the criminal justice agency's functions.

905 (p) To the driver licensing agency of any other state for
 906 purposes of validating the identity of an applicant for a driver
 907 license or identification card.

908 Section 19. Subsection (8) and paragraph (a) of subsection
 909 (9) of section 322.21, Florida Statutes, are amended to read:

910 322.21 License fees; procedure for handling and collecting
 911 fees.-

912 (8) A person who applies for reinstatement following the
 913 suspension or revocation of the person's driver license must pay
 914 a service fee of \$45 following a suspension, and \$75 following a
 915 revocation, which is in addition to the fee for a license. A
 916 person who applies for reinstatement of a commercial driver
 917 license following the disqualification or downgrade of the
 918 person's privilege to operate a commercial motor vehicle shall
 919 pay a service fee of \$75, which is in addition to the fee for a
 920 license. The department shall collect all of these fees at the
 921 time of reinstatement. The department shall issue proper
 922 receipts for such fees and shall promptly transmit all funds
 923 received by it as follows:

924 (a) Of the \$45 fee received from a licensee for
 925 reinstatement following a suspension:

926 1. If the reinstatement is processed by the department,
 927 the department shall deposit \$15 in the General Revenue Fund and
 928 \$30 in the Highway Safety Operating Trust Fund.

929 2. If the reinstatement is processed by the tax collector,
 930 \$15, less the general revenue service charge set forth in s.
 931 215.20(1), shall be retained by the tax collector, \$15 shall be
 932 deposited into the Highway Safety Operating Trust Fund, and \$15
 933 shall be deposited into the General Revenue Fund.

934 (b) Of the \$75 fee received from a licensee for
 935 reinstatement following a revocation, or ~~or~~ disqualification, or
 936 downgrade:

937 1. If the reinstatement is processed by the department,
 938 the department shall deposit \$35 in the General Revenue Fund and
 939 \$40 in the Highway Safety Operating Trust Fund.

940 2. If the reinstatement is processed by the tax collector,
 941 \$20, less the general revenue service charge set forth in s.
 942 215.20(1), shall be retained by the tax collector, \$20 shall be
 943 deposited into the Highway Safety Operating Trust Fund, and \$35
 944 shall be deposited into the General Revenue Fund.

945
 946 If the revocation or suspension of the driver license was for a
 947 violation of s. 316.193, or for refusal to submit to a lawful
 948 breath, blood, or urine test, an additional fee of \$130 must be
 949 charged. However, only one \$130 fee may be collected from one
 950 person convicted of violations arising out of the same incident.

951 The department shall collect the \$130 fee and deposit the fee
952 into the Highway Safety Operating Trust Fund at the time of
953 reinstatement of the person's driver license, but the fee may
954 not be collected if the suspension or revocation is overturned.
955 If the revocation or suspension of the driver license was for a
956 conviction for a violation of s. 817.234(8) or (9) or s.
957 817.505, an additional fee of \$180 is imposed for each offense.
958 The department shall collect and deposit the additional fee into
959 the Highway Safety Operating Trust Fund at the time of
960 reinstatement of the person's driver license.

961 (9) An applicant:

962 (a) Requesting a review authorized in s. 322.222, s.
963 322.2615, s. 322.2616, s. 322.27, s. 322.591, or s. 322.64 must
964 pay a filing fee of \$25 to be deposited into the Highway Safety
965 Operating Trust Fund.

966 Section 20. Section 322.591, Florida Statutes, is created
967 to read:

968 322.591 Commercial driver license and commercial
969 instruction permit; Commercial Driver's License Drug and Alcohol
970 Clearinghouse; prohibition on issuance of commercial driver
971 licenses; downgrades.-

972 (1) Beginning November 18, 2024, when a person applies for
973 or seeks to renew, transfer, or make any other change to a
974 commercial driver license or commercial instruction permit, the
975 department must obtain the driver's record from the Commercial

976 Driver's License Drug and Alcohol Clearinghouse established
977 pursuant to 49 C.F.R. part 382. The department may not issue,
978 renew, transfer, or revise the types of authorized vehicles that
979 may be operated or the endorsements applicable to a commercial
980 driver license or commercial instruction permit for any person
981 for whom the department receives notification pursuant to 49
982 C.F.R. s. 382.501(a) that the person is prohibited from
983 operating a commercial vehicle.

984 (2) Beginning November 18, 2024, the department shall
985 downgrade the commercial driver license or commercial
986 instruction permit of any driver if the department receives
987 notification that, pursuant to 49 C.F.R. s. 382.501(a), the
988 driver is prohibited from operating a commercial motor vehicle.
989 Any such downgrade must be completed and recorded by the
990 department in the Commercial Driver's License Information System
991 within 60 days after the department's receipt of such
992 notification.

993 (3)(a) Beginning November 18, 2024, upon receipt of
994 notification pursuant to 49 C.F.R. s. 382.501(a) that a driver
995 is prohibited from operating a motor vehicle, the department
996 shall immediately notify the driver who is the subject of such
997 notification that he or she is prohibited from operating a
998 commercial motor vehicle and, upon his or her request, must
999 afford him or her an opportunity for an informal hearing
1000 pursuant to this section. The department's notice must be

1001 provided to the driver in the same manner as, and providing such
1002 notice has the same effect as, notices provided pursuant to s.
1003 322.251(1) and (2).

1004 (b) Such informal hearing must be requested not later than
1005 20 days after the driver receives the notice of the downgrade.
1006 If a request for a hearing, together with the filing fee
1007 required pursuant to s. 322.21, is not received within 20 days
1008 after receipt of such notice, the department must enter a final
1009 order directing the downgrade of the driver's commercial driver
1010 license or commercial instruction permit, unless the department
1011 receives notification pursuant to 49 C.F.R. s. 382.503(a) that
1012 the driver is no longer prohibited from operating a commercial
1013 vehicle.

1014 (c) A hearing requested pursuant to paragraph (b) must be
1015 scheduled and held not later than 30 days after receipt by the
1016 department of a request for the hearing, together with the
1017 filing fee required pursuant to s. 322.21. The submission of a
1018 request for hearing pursuant to this subsection tolls the
1019 deadline to file a petition for writ of certiorari pursuant to
1020 s. 322.31 until after the department enters a final order after
1021 a hearing pursuant to this subsection.

1022 (d) The informal hearing authorized pursuant to this
1023 subsection is exempt from the provisions of chapter 120. Such
1024 hearing must be conducted before a hearing officer designated by
1025 the department. The hearing officer may conduct such hearing

1026 from any location in this state by means of communications
 1027 technology.

1028 (e) The notification received by the department pursuant
 1029 to 49 C.F.R. s. 382.501(a) must be in the record for
 1030 consideration by the hearing officer and in any proceeding
 1031 pursuant to s. 322.31 and is considered self-authenticating. The
 1032 basis for the notification received by the department pursuant
 1033 to 49 C.F.R. s. 382.501(a) and the information in the Commercial
 1034 Driver's License Drug and Alcohol Clearinghouse which resulted
 1035 in such notification is not subject to challenge in the hearing
 1036 or in any proceeding brought under s. 322.31.

1037 (f) If, before the entry of a final order arising from a
 1038 notification received by the department pursuant to 49 C.F.R. s.
 1039 382.501(a), the department receives notification pursuant to 49
 1040 C.F.R. s. 382.503(a) that the driver is no longer prohibited
 1041 from operating a commercial vehicle, the department must dismiss
 1042 the action to downgrade the driver's commercial driver license
 1043 or commercial instruction permit.

1044 (g) Upon the entry of a final order that results in the
 1045 downgrade of a driver's commercial driver license or commercial
 1046 instruction permit, the department shall record immediately in
 1047 the driver's record that the driver is disqualified from
 1048 operating or driving a commercial motor vehicle. The downgrade
 1049 of a commercial driver license or commercial instruction permit
 1050 pursuant to a final order entered pursuant to this section, and,

1051 upon the entry of a final order, the recording in the driver's
1052 record that the driver subject to such a final order is
1053 disqualified from operating or driving a commercial motor
1054 vehicle, are not stayed during the pendency of any proceeding
1055 pursuant to s. 322.31.

1056 (h) If, after the entry of a final order that results in
1057 the downgrade of a driver's commercial driver license or
1058 commercial instruction permit and the department recording in
1059 the driver's record that the driver is disqualified from
1060 operating or driving a commercial motor vehicle, the department
1061 receives notification pursuant to 49 C.F.R. s. 382.503(a) that
1062 the driver is no longer prohibited from operating a commercial
1063 vehicle, the department must reinstate the driver's commercial
1064 driver license or commercial instruction permit upon application
1065 by such driver.

1066 (i) The department is not liable for any commercial driver
1067 license or commercial instruction permit downgrade resulting
1068 from the discharge of its duties.

1069 (j) This section is the exclusive procedure for the
1070 downgrade of a commercial driver license or commercial
1071 instruction permit following notification the department
1072 receives pursuant to 49 C.F.R. s. 382.501(a) that a driver is
1073 prohibited from operating a commercial motor vehicle.

1074 (k) The downgrade of a commercial driver license or
1075 commercial instruction permit of a person pursuant to this

1076 section does not preclude the suspension of the driving
 1077 privilege for that person pursuant to s. 322.2615 or the
 1078 disqualification of that person from operating a commercial
 1079 vehicle pursuant to s. 322.64. The driving privilege of a person
 1080 whose commercial driver license or commercial instruction permit
 1081 has been downgraded pursuant to this section also may be
 1082 suspended for a violation of s. 316.193.

1083 (4) Beginning November 18, 2024, a driver for whom the
 1084 department receives notification that, pursuant to 49 C.F.R. s.
 1085 382.501(a), such person is prohibited from operating a
 1086 commercial motor vehicle may, if otherwise qualified, be issued
 1087 a Class E driver license pursuant to s. 322.251(4), valid for
 1088 the length of his or her unexpired license period, at no cost.

1089 Section 21. Subsection (2) of section 322.34, Florida
 1090 Statutes, is amended to read:

1091 322.34 Driving while license suspended, revoked, canceled,
 1092 or disqualified.—

1093 (2) Any person whose driver license or driving privilege
 1094 has been canceled, suspended, or revoked as provided by law, or
 1095 who does not have a driver license or driving privilege but is
 1096 under suspension or revocation equivalent status as defined in
 1097 s. 322.01 ~~s. 322.01(42)~~, except persons defined in s. 322.264,
 1098 who, knowing of such cancellation, suspension, revocation, or
 1099 suspension or revocation equivalent status, drives any motor
 1100 vehicle upon the highways of this state while such license or

1101 | privilege is canceled, suspended, or revoked, or while under
 1102 | suspension or revocation equivalent status, commits:

1103 | (a) A misdemeanor of the second degree, punishable as
 1104 | provided in s. 775.082 or s. 775.083.

1105 | (b)1. A misdemeanor of the first degree, punishable as
 1106 | provided in s. 775.082 or s. 775.083, upon a second or
 1107 | subsequent conviction, except as provided in paragraph (c).

1108 | 2. A person convicted of a third or subsequent conviction,
 1109 | except as provided in paragraph (c), must serve a minimum of 10
 1110 | days in jail.

1111 | (c) A felony of the third degree, punishable as provided
 1112 | in s. 775.082, s. 775.083, or s. 775.084, upon a third or
 1113 | subsequent conviction if the current violation of this section
 1114 | or the most recent prior violation of the section is related to
 1115 | driving while license canceled, suspended, revoked, or
 1116 | suspension or revocation equivalent status resulting from a
 1117 | violation of:

- 1118 | 1. Driving under the influence;
- 1119 | 2. Refusal to submit to a urine, breath-alcohol, or blood
 1120 | alcohol test;
- 1121 | 3. A traffic offense causing death or serious bodily
 1122 | injury; or
- 1123 | 4. Fleeing or eluding.

1124 |
 1125 | The element of knowledge is satisfied if the person has been

1126 | previously cited as provided in subsection (1); or the person
 1127 | admits to knowledge of the cancellation, suspension, or
 1128 | revocation, or suspension or revocation equivalent status; or
 1129 | the person received notice as provided in subsection (4). There
 1130 | shall be a rebuttable presumption that the knowledge requirement
 1131 | is satisfied if a judgment or order as provided in subsection
 1132 | (4) appears in the department's records for any case except for
 1133 | one involving a suspension by the department for failure to pay
 1134 | a traffic fine or for a financial responsibility violation.

1135 | Section 22. Subsection (4) of section 322.61, Florida
 1136 | Statutes, is amended to read:

1137 | 322.61 Disqualification from operating a commercial motor
 1138 | vehicle.—

1139 | (4) Any person who is transporting hazardous materials as
 1140 | defined in s. 322.01 ~~s. 322.01(24)~~ shall, upon conviction of an
 1141 | offense specified in subsection (3), be disqualified from
 1142 | operating a commercial motor vehicle for a period of 3 years.
 1143 | The penalty provided in this subsection shall be in addition to
 1144 | any other applicable penalty.

1145 | Section 23. Subsection (3) of section 324.0221, Florida
 1146 | Statutes is amended to read:

1147 | 324.0221 Reports by insurers to the department; suspension
 1148 | of driver license and vehicle registrations; reinstatement.—

1149 | (3) An operator or owner whose driver license or
 1150 | registration has been suspended under this section or s. 316.646

1151 may effect its reinstatement upon compliance with the
1152 requirements of this section and upon payment to the department
1153 of a nonrefundable reinstatement fee of \$150 for the first
1154 reinstatement. The reinstatement fee is \$250 for the second
1155 reinstatement and \$500 for each subsequent reinstatement during
1156 the 3 years following the first reinstatement. A person
1157 reinstating her or his insurance under this subsection must also
1158 secure ~~noncancelable~~ coverage as described in ss. 324.021(8),
1159 324.023, and 627.7275(2) and present to the appropriate person
1160 proof that the coverage is in force on a form adopted by the
1161 department, and such proof shall be maintained for 2 years. If
1162 the person does not have a second reinstatement within 3 years
1163 after her or his initial reinstatement, the reinstatement fee is
1164 \$150 for the first reinstatement after that 3-year period. If a
1165 person's license and registration are suspended under this
1166 section or s. 316.646, only one reinstatement fee must be paid
1167 to reinstate the license and the registration. All fees shall be
1168 collected by the department at the time of reinstatement. The
1169 department shall issue proper receipts for such fees and shall
1170 promptly deposit those fees in the Highway Safety Operating
1171 Trust Fund. One-third of the fees collected under this
1172 subsection shall be distributed from the Highway Safety
1173 Operating Trust Fund to the local governmental entity or state
1174 agency that employed the law enforcement officer seizing the
1175 license plate pursuant to s. 324.201. The funds may be used by

1176 | the local governmental entity or state agency for any authorized
 1177 | purpose.

1178 | Section 24. Section 324.131, Florida Statutes is amended
 1179 | to read:

1180 | 324.131 Period of suspension.— Such license, registration
 1181 | and nonresident's operating privilege shall remain so suspended
 1182 | and shall not be renewed, nor shall any such license or
 1183 | registration be thereafter issued in the name of such person,
 1184 | including any such person not previously licensed, unless and
 1185 | until every such judgment is stayed, satisfied in full or to the
 1186 | extent of the limits stated in s. 324.021(7) and until the said
 1187 | person gives proof of financial responsibility as provided in s.
 1188 | 324.031, such proof to be maintained for 3 years. In addition,
 1189 | if the person's license or registration has been suspended or
 1190 | revoked due to a violation of s. 316.193 or pursuant to s.
 1191 | 322.26(2), that person shall maintain ~~noncancelable~~ liability
 1192 | coverage for each motor vehicle registered in his or her name,
 1193 | as described in s. 627.7275(2), and must present proof that
 1194 | coverage is in force on a form adopted by the Department of
 1195 | Highway Safety and Motor Vehicles, such proof to be maintained
 1196 | for 3 years.

1197 | Section 25. Paragraph (b) of subsection (2) of section
 1198 | 627.7275, Florida Statutes, is amended to read:

1199 | 627.7275 Motor vehicle liability.—

1200 | (2)

1201 (b) The policies described in paragraph (a) shall be issued
 1202 for at least 6 months ~~and, as to the minimum coverages required~~
 1203 ~~under this section, may not be canceled by the insured for any~~
 1204 ~~reason or by the insurer after 60 days, during which period the~~
 1205 ~~insurer is completing the underwriting of the policy.~~ After the
 1206 insurer has issued ~~completed underwriting~~ the policy, the
 1207 insurer shall notify the Department of Highway Safety and Motor
 1208 Vehicles that the policy is in full force and effect ~~and is not~~
 1209 ~~cancelable for the remainder of the policy period.~~ A premium
 1210 ~~shall be collected and the coverage is in effect for the 60-day~~
 1211 ~~period during which the insurer is completing the underwriting~~
 1212 ~~of the policy whether or not the person's driver license, motor~~
 1213 ~~vehicle tag, and motor vehicle registration are in effect.~~ Once
 1214 the ~~noncancelable~~ provisions of the policy become effective, the
 1215 coverages for bodily injury, property damage, and personal
 1216 injury protection may not be reduced below the minimum limits
 1217 required under s. 324.021 or s. 324.023 during the policy
 1218 period.

1219 Section 26. Except as otherwise expressly provided in this
 1220 act, this act shall take effect July 1, 2023.